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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Continue
Implementation and Administration of
California Renewables Portfolio Standard
Program.

Rulemaking 11-05-005
(Filed May 5, 2011)

**ADMINISTRATIVE LAW JUDGE'S RULING (1) GRANTING MOTION
TO SUPPLEMENT RECORD, (2) ACCEPTING INTO THE RECORD
A REVISED VERSION OF CALFIRE'S WHITE PAPER ON FOREST
DERIVED BIOMASS SUPPLY ELIGIBILITY UNDER SECTION 399.20
OF THE PUBLIC UTILITIES CODE, AND (3) SEEKING COMMENTS
ON THE REVISED CALFIRE WHITE PAPER**

On May 9, 2014, Placer County Air Pollution Control District (Placer APCD) filed its Motion to Supplement the Record to Summarize Previously Filed CalFIRE White Paper within the Phase of this Proceeding Concerning the Implementation of SB 1122 (the Bioenergy FIT Program).¹ Attached to the motion is a document, dated April 29, 2014, that Placer APCD characterizes as a

¹ Senate Bill (SB) 1122 (Rubio), Stats. 2012, ch. 612, amends Pub. Util. Code § 399.20 (the "feed-in tariff" provision of the renewables portfolio standard (RPS) program) to include a mandate for investor-owned utilities to procure generation from specified types of RPS-eligible generation facilities using bioenergy.

“revised version” of the “white paper” written by staff of CalFIRE and filed and served in this proceeding by Placer APCD on December 12, 2013.²

No party has opposed Placer APCD’s motion. Pacific Gas and Electric Company (PG&E) filed a Response to the motion on May 27, 2014. PG&E supports granting the motion and suggests that parties have an opportunity to comment on issues related to the revised white paper.

The motion should be granted. The Summary of the CalFIRE white paper included in the motion should be made part of the record of this proceeding.³ The revised CalFIRE white paper attached to the motion should be made part of the record of this proceeding.

Parties should also have an opportunity to comment on the revised CalFIRE white paper. Comments and reply comments should be directed *only* to the revised white paper and its bearing on the implementation of Pub. Util. Code § 399.20(f)(2)(A)(iii). Comments should be specific and should cite to relevant sections of the revised white paper and other documents relied on by the comments. Legal arguments must be supported by relevant authority. Parties should not reargue issues discussed in previously filed comments and reply comments on the Staff Proposal on implementation of SB 1122.

² Placer APCD’s request to include this original version of the CalFIRE white paper was granted January 15, 2014, after notification to the parties by e-mail on December 16, 2013.

³ The summary provided in the motion is, of course, the position of the participants in preparing the summary. No view of the Administrative Law Judge or the Commission on the accuracy or relevance of the summary presented should be inferred from the granting of this motion.

Comments of not more than 20 pages may be filed and served not later than June 20, 2014. Reply comments of not more than 10 pages may be filed and served not later than July 2, 2014.

IT IS RULED that:

1. The Placer County Air Pollution Control District Motion to Supplement the Record to Summarize Previously Filed CalFIRE White Paper within the Phase of this Proceeding Concerning the Implementation of SB 1122 (The Bioenergy FIT Program), filed May 9, 2014, is granted.
2. The revised CalFIRE staff white paper on Forest Derived Biomass Supply Eligibility under Section 399.20 of the Public Utilities Code, dated April 29, 2014, is accepted into the record of this proceeding.
3. Comments of not more than 20 pages on the revised CalFIRE staff white paper, dated April 29, 2014, may be filed and served not later than June 20, 2014.
4. Reply comments of not more than 10 pages may be filed and served not later than July 2, 2014.

Dated June 6, 2014, at San Francisco, California.

/s/ ANNE E. SIMON
Anne E. Simon
Administrative Law Judge